

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jeremy Klug
Serial No: 09/826,227
Filed: April 4, 2001
For: Material Useful For Preparing Embossed Flexible Graphite Article
Examiner: Wendy L. Boss
Group No. 1775
Attorney's Docket No. P1030
Customer No. 23456

DECLARATION OF JAMES R. CARTIGLIA

I, James R. Cartiglia, hereby declare and state as follows:

1. This declaration is submitted in support of the Petition To Revive Application Pursuant To 37 C.F.R. §1.137(a) filed for the above-captioned application.

2. When the above-captioned application was originally filed, I was the attorney or record for this application, and the correspondent address for the application was provided as:

James R. Cartiglia
Graftech Inc.
3102 West End Avenue, Suite 1100
Nashville, TN 37203

3. On April 21, 2003, however, a Change Of Correspondence Address was transmitted to the U.S. Patent and Trademark Office on April 21, 2003, changing the correspondence address for the above-captioned application to:

Paul S. Chirgott
GrafTech International Ltd.
12900 Snow Road
Parma, Ohio 44130

providing both telephone and telefax numbers for Mr. Chirgott (Mr. Chirgott and Ms. Sophia Davis, who signed the certificate of transmittal for the Change Of Correspondence Address, are no longer employed by GrafTech International Ltd.). A copy of the Change of Correspondence Address, Certificate of Transmission and Transmittal form thereof, telefax cover page and report showing successful transmission thereof, are all attached hereto as Exhibit A.

4. The Notice of Allowance and Fee(s) Due for the above-referenced application was mailed on September 8, 2004 (attached as Exhibit B), more than four months after the filing of the Change Of correspondence Address, yet the mailing address for the Notice of Allowance and Fee(s) Due was the "old" address:

James R. Cartiglia
Graftech Inc.
3102 West End Avenue, Suite 1100
Nashville, TN 37203,

not the new address:

Paul S. Chirgott
GrafTech International Ltd.
12900 Snow Road
Parma, Ohio 44130.

5. The Notice Of Abandonment for the above-captioned application was mailed on January 20, 2005 (attached as Exhibit C), almost nine months after the filing of

the Change Of correspondence Address, yet again the mailing address for the Notice of Allowance and Fee(s) Due was the “old” address:

James R. Cartiglia
Graftech Inc.
3102 West End Avenue, Suite 1100
Nashville, TN 37203,

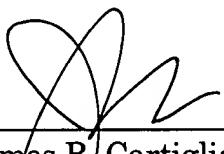
not the new address:

Paul S. Chirgott
GrafTech International Ltd.
12900 Snow Road
Parma, Ohio 44130.

6. Thus, the U.S. Patent and Trademark Office had notice of a new correspondence address more than 4 months prior to mailing of the Notice Of Allowance And Fee(s) Due and almost 9 months prior to the mailing of the Notice Of Abandonment. Accordingly, since the U.S. Patent and Trademark Office mailed the Notice Of Allowance And Fee(s) Due and the Notice Of Abandonment to an address it had notice was no longer active, the delay in payment of the Issue Fee and Publication Fee was unavoidable.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false

statements may jeopardize the validity of the above-captioned application or any patent issuing therefrom.

By: 
James R. Cartiglia

Date: 7/24/07